

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

SANDRA (GARCIA) OLVERA, Personal
Representative of the Estate of K.M.O.,
Deceased,

Plaintiff,

-VS-

RADHA CHERUKURI, M.D., MATERNAL
FETAL MEDICINE, P.C., BAY REGIONAL
MEDICAL CENTER and the UNITED
STATES OF AMERICA,

Defendants.

CASE NO. 08-15080-BC

HON. THOMAS L. LUDINGTON

ORDER DISMISSING THE UNITED STATES WITHOUT PREJUDICE

This matter is before the Court on the March 11, 2009 Stipulation to Dismiss the United States, stating that plaintiff's administrative claim has neither been denied nor been pending with the agency for at least six months, as is required by 28 U.S.C. § 2675(a).

Accordingly, it is **ORDERED** that the United States of America is **DISMISSED** as a defendant in this action, without prejudice.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: March 23, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on March 23, 2009.

s/Tracy A. Jacobs

TRACY A. JACOBS